**FILED** 

#### FOR PUBLICATION

JAN 31 2012

# MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

### UNITED STATES COURT OF APPEALS

#### FOR THE NINTH CIRCUIT

ROCIO BRENDA HENRIQUEZ-RIVAS,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 09-71571

Agency No. A098-660-718

**ORDER** 

## KOZINSKI, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3.